



**ASSEMBLY AMENDMENT 3,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 733**

March 24, 1998 - Offered by Representatives GOETSCH and GRONEMUS.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 11: after that line insert:

3 “**SECTION 1L.** 174.02 (1) (a) of the statutes is amended to read:

4 174.02 (1) (a) *Without notice.* Subject to s. 895.045 and except as provided in  
5 s. 895.57 (4), the owner of a dog is liable for the full amount of damages caused by  
6 the dog injuring or causing injury to a person, domestic animal or property.

7 **SECTION 1m.** 174.02 (1) (b) of the statutes is amended to read:

8 174.02 (1) (b) *After notice.* Subject to s. 895.045 and except as provided in s.  
9 895.57 (4), the owner of a dog is liable for 2 times the full amount of damages caused  
10 by the dog injuring or causing injury to a person, domestic animal or property if the  
11 owner was notified or knew that the dog previously injured or caused injury to a  
12 person, domestic animal or property.”

1           **2.** Page 2, line 16: delete lines 16 to 18 and substitute:

2           “895.57 (4) (a) In this subsection, “security device” includes any of the  
3 following:

4           1. Any fence enumerated under s. 90.02.

5           2. A theft alarm signal device, a burglar alarm or any other security alarm  
6 system or device.

7           3. A dog.

8           (b) Subject to par. (c), an owner or custodian of a confined animal is immune  
9 from civil liability for any damages caused by a security device that is installed or  
10 used by the owner or custodian and that the owner or custodian reasonably believes  
11 is necessary to protect the confined animal or the premises containing the animal.  
12 It is not reasonable to install or use a security device that is intended or likely to cause  
13 death or great bodily harm, as defined in s. 939.22 (14), for the purpose of protecting  
14 a confined animal or the premises containing a confined animal.

15           (c) If an owner or custodian of a confined animal uses a dog as a security device,  
16 the owner or custodian is entitled to immunity under par. (b) only if all of the  
17 following apply:

18           1. The dog is on the owner’s or custodian’s property at the time that it causes  
19 the damages.

20           2. The person who suffered the damages was trespassing on the property of the  
21 owner or custodian.”.

22           **3.** Page 3, line 12: delete “felony and shall” and substitute “felony.”.

23           **4.** Page 3, line 13: delete lines 13 and 14.

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(END)